

SAND/J

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USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: 12-11-07  
DATE FILED: 12-11-07

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IJC PARTNERS, LLC,

Civil Action No. 07-Civ-9702 (LBS)

Plaintiff,

STIPULATION OF DISMISSAL  
WITH PREJUDICE

v.

BRIAN FOGEL,

Defendant.

WHEREAS, Plaintiff filed a Complaint against Defendant in the United States District Court, Southern District of New York, indexed as Civil Action No. 07-Civ-9702 (the "Litigation"); and

WHEREAS, Plaintiff and Defendant have agreed to dismiss, with prejudice and without costs, all claims, counterclaims, cross claims, or third party claims which were asserted or which could have been asserted against one another relating directly or indirectly to the subject matter of this Litigation.

NOW THEREFORE, it is agreed and ordered that any and all claims which were asserted or which could have been asserted against Plaintiff or Defendant relating directly or indirectly to the subject matter of the above-captioned Litigation, are hereby dismissed, with prejudice and without costs.

CONSENTED TO BY:

LOWENSTEIN SANDLER PC  
65 Livingston Avenue  
Roseland, New Jersey 07068  
Attorneys for Defendant

By:

Julie Levinson Werner, Esq. (JLW-9842)  
Dated: November 3, 2007

FOX HORAN & CAMERINI LLP  
825 Third Avenue, 12<sup>th</sup> floor  
New York, New York 10022  
Attorneys for Plaintiff

By:

V. David Rivkin, Esq. (VR-6734)  
Dated: November 3, 2007

December 3, 2007

Sand/J  
12/10/07